CORRESPONDENCE FILE

CLASS B 1

File No Aft 228 DST 58

MYSORE GOVERNMENT SECRETARIAT

Department of Agri.

Section Forest

Subject :—

Grant of forest land.

Sanctioned.

Forest
4/9/58
8/9/58

FOR/NOT FOR NOTE BOOK
UNDER SECRETARY

Jt. Under Secretary to Govt.

A
1/4/64

ಎಸ್. ನಾರಾಯಣಸ್ವಾಮಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

CM 4

Mysore Government Secretariat | File No. of 195 . | [App. F. III 2

Serial No.

Sub: Grant of forest land to measuring 4 A. out of F.S.N. 7A of Konashet to Shri Krishna Murari Gauda of Konashet permanently for cultivation

APD 228 RS 58.

1)

MYSORE GOVERNMENT SECRETARIAT No 12154 10 - SEP 1958 REVENUE BRANCH.

D.N. 9120 Rec'd 58 Pnd for perusal.
The Dy Comm. Kanara proposes to grant 4A of land in F.S.N. 7A of Konshet permanently to Shri K M Gauda for cultivation.
The Dist Comm. Belgaum has recommended the proposal. The D.F.O. K.N. Dharwar and the Const. Forests Belgaum have no objection for grant of land permanently after disforestment. Under the circumstances the area of 4A. in F.S.N. 7A of Konshet may be ordered to be disforested and surrendered to the R.D. for being granted to Shri K M Gouda permanently. after disforestment A Dept Ee, to put up for approval.

A

2) R.D. may see to for concurrence in 'A'

4/9/58 S.O. Pub 5.9.58

RD

R.D. may agree with the proposal of D.C. as agreed to by the Dist. Comm. Belgaum in his (in the circumstances stated) letter dt 2-8-58 & return the file to RED.

11/9 11/9

4) May be agreed to

11.9.58

A + 2) 11/9

M. VENKATAGIRIRAJU, Under Secy., Rev. Dept.

11/9

SECRETARY TO GOVERNMENT OF MYSORE No. 2.4.02 9 - SEP 1958 B DEPARTMENT

9/9

Dy 17.9.58

9/9

DEPUTY SECRETARY TO GOVT. No. 7120 11 SEP 1958 Revenue DEPARTMENT

File No. APD 223 DST of 1958

Mysore Government Secretariat

Serial No.

5) The draft G.O may kl be approved.

Ulls 13/9/58

Gell 15/9/58

RS

6) R.D has agreed to the proposal of D.C. Belgaum (Divisional Commr) agreed by Forest dept to disafforest certain area for being assigned to cultivation. Godpage 11 (c) may be approved

Hegde 17/9.

Minister for Agriculture

Jesso 30/9

Minister Hegde 2/10

8) The G.O may kl be approved.

Ulls 5/10/58

Gell 6/10/58

Hegde 4/10 RS

Issue

Issued Smith 6-10-58

This may be recorded as 'B'

B

Gell 29/9

29/9

Letter

(101)

4

To

The Secretary to Government,
Agriculture and Forests Department,
Bangalore.

No.S.105/XI/161 Karwar,24-5-1958.

Subject: Grant of forest land to Shri Krishna Murari Gavada of Konashet.

In submitting herewith forest land grant case (pages 1 to 100), I have to state as under:

3. One Shri Krishna Murari Gavada was leased out an area of 6-0-0 out of F.S.No.7A of Konashet for cultivation on Hangami lease by the Forest Department in the year 1950. The Divisional Forest Officer, N.D.,Kanara, has recommended permanent grant of the land in the light of Government Resolution, Agriculture and Forest Department No.G/19116 dated 24-1-1957 (page 33).

4. The Deputy Tahs-ildar, Supa, has reported that out of the 6-0-0 of land leased out by the Forest Department, the lessee has actually brought an area of 4-0-0 under cultivation (vide report at page 77). The applicant lessee is entitled for permanent grant of an area of 4-0-0 in the light of Government orders contained in G.R.,A.& F.D.No.FDM 1054 dated 7-3-1955. But as per the orders contained in Govt. letter, A.& F.D.No.FDM/1055/108962-E dated 5-12-1955, lands held on Hangami lagan cannot be granted on permanent basis if such grants go against the principles of economic holding, unless refusal would cause hardship to the lessee.

5. In this case, the applicant holds an area of 7-22-8 Tari Class of land, which is just less than 8 acres i.e.the tari limit prescribed for an

P.T.O.

economic holding under the Bombay Tenancy and Agricultural Lands Act. The grant of an area of 4-0-0 of lands which is treated as khuski would raise his holding to the extent of 9-22-8 which exceeds the economic holding. It is reported that the lessee has spent an amount of Rs.400/- towards the cultivation of the lands in question and hence the applicant deserves special consideration of Government as mentioned in the Government letter No.FDM 1055/ 108982-E of 5-12-1955. Apart from this, the applicant is a member of a joint Hindu family consisting of 22 members(vide page 65). The economic holding prescribed is irrespective of the number of members in a family. So considering the large number of members in his family, the applicant deserves the land gramt.

6. In the circumstances narrated above, the applicant may kindly be ordered to be granted an area of 4-0-0 out of F.S.No.7A of Konashet for cultivation.

o.c.signed
by Dy.Commr.

(D.C.absent
from H.Qrs.)

(B.G.Kaujalgi) P.A.to
Deputy Commissioner,Kanara.

Submitted through the Divisional Commissioner, Belgaum.

29 MAY 1958

Letter

To

The Divisional Commissioner,
Belgaum.

No.S 105/XI/161. Karwar,8-7-1958.

Subject: Grant of forest land to Shri Krishna Murari Gavada of Nonashet..

Reference: Your No.RB/LND SR dated 21-6-1958.

Copies of the Government Resolution and the Govt. letter referred to in this office letter No.S 105/XI/161 dated 24-5-1958 are enclosed herewith in duplicate.

As regards the Government Resolution referred to in para 3 of the said letter, page 33 of the correspondence may kindly be referred. The reference is misquoted as "G.R.,A.& F.D.No.G/19116 dated 24-1-1957" instead of stating "G.R.referred to by the Divisional Forest Officer,

P.T.O.

7

in his letter No.G/19116 dated 24-1-1957".

(B.G.Kaujalgi) P.A.to
Deputy Commissioner,Kanara.

RB

11 JUL 1958

1733

Lands: Kanara
Disposal of -- taken on Hangami Lagan ..

Government of Bombay,
Agriculture and Forests Department.
Resolution No.FDM. 1054.
Bombay Castle, 7th March 1955.

Read: - Demo Official Letter No.O/A/1843 dated the 3rd December, 1954, from the Collector of Kanara.

Resolution: - Government is pleased to direct that Hangami Lagan in the Kanara District which are not encroachments should be granted on a permanent basis in accordance with rules and policies laid down in the Government Resolution, Revenue Department, No.LND.3953-V-B dated the 20th August, 1954, regarding grant of Government lands for cultivation, excepting where the land has not been properly brought under cultivation in spite of sufficient period having lapsed. In these latter cases, the Hangami Lagans should be terminated and the land resumed immediately. Where the land has been properly developed, the permanent grant should be made by the Collector after getting the land disforested. The Collector and the Divisional Forest Officer should jointly take a decision whether the land has been properly developed or not by the lessee. In cases where the Collector and the Divisional Forest Officer are of opinion that the land should be resumed because it has not been properly developed, the Divisional Forest Officer as the sanctioning authority of the Hangami Lagans should take steps to terminate the lease and resume the land.

By order and in the name of the Governor of Bombay,

V.V.Masurekar
Assistant Secretary to Government.

"""""""

" True Copy "

for Deputy Commissioner, Kanara.

Letter

To

The Collector of Kanara.

No.FDM 1055/108962-E. Bombay, 5th December, 1955

Reference your letter No.O/C 1506 dated the 22nd August, 1955, regarding disposal of forest lands in Kanara District.

The following orders are issued on the points raised in your letter under reference.

Grants of Hangami lands on permanent basis:

Paragraph 12 of Government Resolution, Revenue Department, No.LND 3953-V-B dated the 20th August, 1954, governs permanent disposal of land when the lessee is not eligible for such grants in accordance with the orders contained in the Government Resolution. One of the conditions required to be satisfied for such grant is that the original grant was bonafide and unobjectionable. However, in individual cases where this condition is not satisfied, if the Collector finds that undue hardship will be caused to the existing lessee by depriving him of the land, such cases should be submitted for orders to Government through the Director of Backward Class Welfare (paragraph 12(iv)). Hence wherever he feels that undue hardship will be caused to the existing lessee of Hangami lagan lands by depriving him of the land the Collector of Kanara can approach Government for orders through the Director, Backward Class Welfare, It does not, therefore, appear necessary to modify the existing orders so far as permanent grants of Hangami lands are concerned.

Disposal of fragments:

Your presumption that the disposal of fragments

P.T.O.

is to be governed by paragraph 4(C) of Government Resolution, Revenue Department No.366/33-XI, dated the 10th March, 1947, is not correct. These lands would fall in the category (II) of paragraph 4(A) of Government Resolution, No.3953-V-B dated the 28th August 1954. Their disposal will, therefore, be governed by paragraph 4(C) of this Government Resolution. The fragments may be disposed of to the adjoining holder and whether the adjoining holder has an economic holding or not, need not be considered (vide paragraph 9(a) of Govt. Resolution, Revenue Department No.3953-V-B dated the 20th August 1954, as amended by Government Resolution, No.LND 3955/97031 dated the 20th October, 1955). However, paragraph 12 of the above-mentioned Government Resolution would also apply and the Collector can refer cases to Government in which he finds that undue hardship will be caused to the existing lessee by depriving him of the land.

Economic Holdings:

The principle of economic holdings enunciated in the Government Resolution, Revenue Department No.LND 3953-V-B dated the 20th August 1954, as amended by Govt.Resolution, Revenue Department No.LND 3955/97031, dated the 20th October 1955, should be applied invariably while granting Hangami lagans on permanent basis or allotting blank areas with gentle slopes in minor forests for fruit cultivation, unless such application would result in substantial hardship being caused to the lessee in which case the matter should be referred to Government for orders (vide paragraph 16 of the above-mentioned Government Resolution).

By order and in the name of the Governor of Bombay,

Sd/- x x x

Assistant Secretary to the Government of Bombay,
Agriculture and Forests Department.

"""""

"True Copy "

for Dy.Commissioner,Kangra.

~~AFD 51 DFT 58~~ AFD 228 DST 58 11

Below letters No.S 105/XI/161 dated 24-5-58 and 8-7-58 from the Deputy Commissioner, North Kanara and their accompaniments.

• • •

No.RB/LNDSR 361
Belgaum, 2-8-1958

Forwarded with compliments to the Secretary to Govt. Agrl. and Forests Department, Bangalore.

2. In the circumstances stated by the Deputy Commissione that the applicant has a large joint family consisting of 22 members and in view of the fact that the prescribed economic holding would be exceeded by ~~x~~ 1 acre, 22 gunthas and 8 annas only, by the proposed grant, the rule regarding the economic holding may be relaxed in favour of the applicant Shri K.M. Gavada of Konashet as a special case. ~~Ox Shri x K.M. Gavada of Konashet xxxx~~ On receipt of Governmen orders on the point, necessary proposals for disforesting ~~xx~~ the area will be obtained and submitted.

O.C. signed
by Commr.

For Divisional Commissioner, Belgaum.

7/8

M. G. S. App. F VI—G. 2]

12 11/c

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

( )

the 195 .

File No.

Proceedings of the Government of Mysore

Date of issue.....6.-.10.....1958.

Signed by.....

Read- letter No. 11 S. 105/XI/161, dated 24-5-58 from the Dy Comm Kanara, forwarding 6 grant-4A 0 land out of FS No. 7A of Konashet- to Shri Krishna Murari Gavada of Konashet- for cultivation after disforestment.

Read- Conf- No. RB/LND SR 361, dated 2-8-58 from the Dy Comm. Belgaum recommending the proposal of the Dy Comm.

Read- cwd No. 22/15214, dated 4-2-58 from the Conservator of Forests Belgaum agreeing to the disforestment of the lands

Order thereon.—No. AFW 228 RST 58 Bangalore, dated 6-10-58.

Govt- is pleased to order that an area of 4A in FS No. 7A of Konashet- should be disforested and surrendered to the RD for being granted to Shri Krishna Murari Gavada of Konashet- permanently for cultivation subject to the

P.T.O.

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

conditions to be imposed by the R.D.

2) The C.C.F should submit to Govt Draft notification reg Disforestment of the area as early as possible.

By order etc,

Sd/-
for DS
14/9/58. Ag/ RD Belgaum.

To
The Dist Comm Belgaum
The Dy Comm. Kanara (with case papers. P 1 to 99)
The The C.C.C Belgaum.
The The Cons of Forests Belgaum.
Copy to the RD.
~~2 copies to~~ Weekly Gazette. (4 copies)
A. Copy to ~~T~~ The printed in the notify. proceedings in Extension
B. To be kept in personal record
(Standing ord-)

List of Enclosures.

Copied by

Examined by

WD 0259—GPB—P.Z.S.—1,00,000—23-2-56

14

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Read:-

Letter No. S.105/XI/161, dated 24-6-58 from the Deputy Commissioner, Kanara, proposing to grant 4A of land out of F.S.No.7A of Konashet to Shri Krishna Murari Gavada of Konashet for cultivation after disforestment.

2. Endorsement No. MB/LMDSR 361, dated 2-8-58 from the Divisional Commissioner, Belgaum recommending the proposal of the Deputy Commissioner.

3. Endorsement No. 22/15214, dated 4-2-57 from the Conservator of Forests, Belgaum agreeing to the disforestment of the land.

Order No. AFD 223 DSF 58.
Dated, Bangalore, 6 October 1958.
Aswayuja 14 Saka Era 1880.

Government is pleased to order that an area of 4A in F.S.No.7A of Konashet should be disforested and surrendered to the Revenue Department for being granted to Shri Krishna Murari Gavada of Konashet permanently for cultivation subject to the conditions to be imposed by the Revenue Department.

The Chief Conservator of Forests, should submit to Government draft notification regarding disforestment of the area as early as possible.

By Order and in the name of the
Governor of Mysore,

(H.L. Lingaraj Urs)
Deputy Secretary to Government,
Agriculture & Forest Department.

To

The Divisional Commissioner, Belgaum.
The Deputy Commissioner, Kanara (with case papers P 1 to 99).
The Chief Conservator of Forests in Mysore, Bangalore.
The Conservator of Forests, Belgaum.
Copy to the Revenue Department.
Copy to the Weekly Gazette (four copies).

A. To be printed in the monthly proceedings in extenso.

B. To be kept in personal records. (Standing orders)

DV/6.10.